

EXHIBIT B

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

NCS MULTISTAGE INC.,

Plaintiff,

v.

NINE ENERGY SERVICE, INC.,

Defendant.

CIVIL ACTION NO. 6:20-CV-00277

JURY TRIAL DEMANDED

DECLARATION OF ATTORNEY PARKER D. HANCOCK

I, Parker D. Hancock, do hereby declare and state as follows:

1. My date of birth is June 3, 1987.
2. I am a resident of Houston, Texas.
3. I maintain my office at 1001 Fannin St., Suite 2500, Houston, TX 77002-6760.
4. I am a senior associate at Vinson & Elkins LLP, and am counsel of record in the above-captioned case for Nine Energy Service, Inc. (“Nine”).
5. I have personal knowledge of the matters set forth in this declaration, and if called upon as a witness, I could and would testify competently. I submit this declaration in support of Nine’s Motion to Transfer Venue.
6. I previously submitted a declaration in this case, on July 31, 2020.
7. I submit this declaration to provide additional publicly-available information, responsive to points raised in NCS Multistage, Inc.’s (“NCS”) brief opposing Nine’s motion to transfer.
8. I have reviewed the pleadings in all seven of the cases that NCS has filed as of this date asserting U.S. Patent 10,465,445 (the “Asserted Patent”). NCS has admitted that its

worldwide headquarters is located at 19350 State Highway 249, Suite 600, Houston, TX 77070. *NCS Multistage Inc. v. Nine Energy Service, Inc.*, No. 6:20-cv-00277-ADA, Answer to Nine's Counterclaims, Dkt. 18, at ¶ 2 (W.D. Tex. Apr. 8, 2020). Further, in each and every complaint filed by NCS, it has expressly alleged that its "worldwide headquarters" is located at the same address in Houston. Citations to these allegations are provided below:

- *NCS Multistage Inc. v. Nine Energy Service, Inc.*, No. 6:20-cv-00277-ADA, Complaint, Dkt. 1, at ¶ 3 (W.D. Tex. Apr. 8, 2020).
- *NCS Multistage Inc. v. Innovex Downhole Solutions, Inc.*, No. 6:20-cv-00280-ADA, Dkt. 1, at ¶ 3 (W.D. Tex. Apr. 8, 2020).
- *NCS Multistage Inc. v. TCO AS*, No. 6:20-cv-00622-ADA, Dkt. 1, at ¶ 3 (W.D. Tex. July 9, 2020).
- *NCS Multistage Inc. v. Allamon Tool Company, Inc.*, No. 6:20-cv-00699-ADA, Dkt. 1, at ¶ 3 (W.D. Tex. July 30, 2020).
- *NCS Multistage Inc. v. Packers Plus Energy Servs. Inc.*, No. 6:20-cv-00700-ADA, Dkt. 1, at ¶ 3 (W.D. Tex. July 30, 2020).
- *NCS Multistage Inc. v. Permian Petrolink, LLC*, No. 6:20-cv-00701-ADA, Dkt. 1, at ¶ 3 (W.D. Tex. July 30, 2020).
- *NCS Multistage Inc. v. Summit Casing Servs., LLC*, No. 6:20-cv-00735-ADA, Dkt. 1, at ¶ 3 (W.D. Tex. Aug. 13, 2020).

9. As I previously stated, I understand that Travis Harris, one of the named inventors of the Asserted Patent, is currently employed at Packers Plus Energy Services, Inc. ("Packers Plus"), according to his publicly-available LinkedIn profile. *See* Dkt. 24-4, Ex. D. That same profile also states that he is currently employed in Houston, TX. According to its website, Packers

Plus has only one Houston office, which is located at 11415 Spell Road, Tomball, TX 77375. Ex. C. According to Google Earth, this office is located 25 miles from the Bob Casey United States Courthouse, home of the Houston division of the Southern District of Texas, located at 515 Rusk St., Houston, TX 77002.

10. As I previously stated, I understand that the Waco Regional Airport website indicates that the only commercial service into Waco is via Dallas Fort Worth Airport (“DFW”). Dkt. 24-5, Ex. E.

11. Travel by air from Midland to Houston takes substantially less time and money than travel from Midland to Waco. Using the *Markman* date as an example, the fastest flights from Midland to Waco take between three and three and a half hours, due to a connection through DFW. Ex. D. Each of these flights cost \$278 round trip. *Id.* In contrast, Southwest operates four daily nonstop flights from Midland to Houston, which cost as low as \$69 one way, for a round-trip price of about \$140, lasting an hour and a half. Ex. E.

12. I have reviewed the docket in *NCS v. Packers Plus Energy Servs. Inc.*, No. 6:20-cv-00700 (W.D. Tex. July 30, 2020). I understand that NCS has not yet filed a return of summons, and therefore likely has not yet served its complaint.

13. If that complaint was served on September 4, 2020, then that case would not be ready for trial under this court’s standard trial schedule until May 24, 2022. This date assumes that the initial answer deadline for that case would be September 24, 2020. As with every other case filed by NCS, I expect that the defendants will be granted a 30-day extension of their answer deadline, to October 25, 2020. I likewise assume that the defendants will file noninfringement or invalidity counterclaims, providing a counter-claim answer date of November 15, 2020. On that date, NCS would notify the Court that the case is ready to be scheduled. I assume that the Court

will take about the same amount of time to schedule an initial case management conference, which in this case was 23 days. This puts the initial case management conference on or about December 8, 2020. The default schedule places the *Markman* hearing 24 weeks after the case management conference, and trial 52 weeks after the *Markman* hearing. That places the expected *Markman* deadline as May 25, 2021, and trial as May 24, 2022.

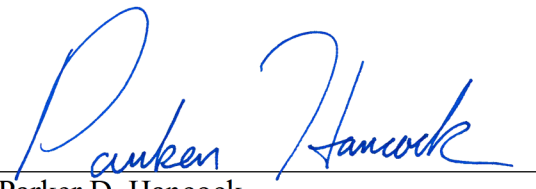
14. I have reviewed the Southern District of Texas's model patent scheduling order, attached as Exhibit F. According to that order, for an example case filed on January 1, 2005, trial would fall approximately 78 weeks later, around July of 2006. Accordingly, if this case had been filed in the Houston Division of the Southern District of Texas, and had its initial conference on July 17, 2020, then it would have come to trial on or about January 14, 2022.

15. I have compiled a list of all parties in all seven cases currently pending in which NCS has claimed infringement of the Asserted Patent. This list includes each party's principal place of business or worldwide headquarters, as alleged by NCS. I have provided that table below, including the judicial district and division where each defendant is located. As shown below, the vast majority of the defendants are located in the Houston division of the Southern District of Texas. Only two are headquartered in the United States that are not in the Houston division:

Defendant	Principal Place of Business	Judicial Division
Allamon Tool Company, Inc.	18935 Freeport Drive, Montgomery, TX 77356	Houston Division - S.D. Tex.
Arsenal, Inc.	700 Louisiana St., Suite 3950, Houston, TX 77002	Houston Division - S.D. Tex.
NCS Multistage Inc.	19350 State Highway 249, Suite 600, Houston, TX 77070	Houston Division – S.D. Tex.
Nine Energy Service, Inc.	2001 Kirby Drive, Suite 200, Houston, TX 77019	Houston Division - S.D. Tex.
Packers Plus Energy Services (USA) Inc.	11415 Spell Road, Tomball, TX 77375	Houston Division - S.D. Tex.
Packers Plus Energy Services Inc.	3500, 525-8th Avenue SW, East Tower, Calgary, AB T2P 1G1	N/A
Permian Petrolink, LLC	3217 Commercial Drive, Midland, TX 79701	Midland / Odessa Division - W.D. Tex.
Summit Casing Services, LLC	6575 Corporation Parkway, Fort Worth, TX 76126	Fort Worth Division – N.D. Tex.
TCO Norway	Storaneset 20, PO Box 23, 5260 Indre Arna, N-5888, Bergen, NO	N/A
TCO Products, Inc.	1417 Vander Wilt Lane, Katy, Texas 77449	Houston Division - S.D. Tex.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

**Executed in Harris County, State of Texas,
on the 4th day of September, 2020.**


Parker D. Hancock
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